IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

WP(C).No. 7479 of 2007(M)

PETITIONER:

JOSE PARAYANKUZHI, AGED 40 YEARS,
S/O JOSEPH, PARAYANKUZHI HOUSE,
UDAYAGIRI P.O., KANNUR DISTRICT.

BY ADV. SRI.P.K.RAVISANKAR

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY ITS SECRETARY, CO-OPERATION DEPARTMENT, THIRUVANANTHAPURAM.

2. REGISTRAR OF CO-OPERATIVE SOCIETIES, THIRUVANANTHAPURAM.

3. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,(GENERAL), KANNUR-1.

4. ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES(GENERAL), TALIPARAMBA, KANNUR DISTRICT.

5. ALAKODE COCONUT AND AGRICULTURAL MARKETING CO-OPERATIVE SOCIETY NO.C 1359, ALAKKODE P.O., KANNUR DISTRICT REPRESENTED BY ITS SECRETARY.

6. NATIONAL CO-OPERATIVE DEVELOPMENT CORPORATION, CO-OPERATIVE BANK TOWERS, VIKAS BHAVAN, THIRUVANANTHAPURAM-33, REPRESENTED BY ITS REGIONAL DIRECTOR.

BY GOVT.PLEADER SRI.P.K.RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN .J

W.P (C) No 7479 of 2007

Dated this the 6th day of March 2007

JUDGMENT

Petitioner is a member of the 5th respondent Co-operative society. The 6th respondent National Co-operative Development Corporation sanctioned financial assistance to the tune of Rs. 5,00,000/- to the 5th respondent society through the 1st respondent. The complaint of the petitioner is that the amount was released by the 5th respondent on the basis of the statement by the 1st respondent that the amount was already been released by the 2nd respondent to the 5th respondent society. But respondents 1 to 4 have not released the amount to the society so far. In so far as the 5th respondent society who themselves are to receive the amount is not aggrieved by the action of any of the other respondents, I am not inclined to entertain this writ petition at the instance of a member of the society. In the above circumstances this writ petition is dismissed. However the dismissal of this writ petition will not preclude the 5th respondent society from filing a writ petition on the same cause of action if they are entitled to do so under the law.

S.SIRI JAGAN .JUDGE

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